

Message

From: Dieu, Martin [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B0808A1437774901BD28FA57795126A3-MDIEU]
Sent: 2/21/2018 2:27:13 PM
To: Weckesser, Mike [Weckesser.Mike@epa.gov]
Subject: FW: FYI -- Weekly Report Summary

fyi

From: Dieu, Martin
Sent: Tuesday, February 20, 2018 2:52 PM
To: Felicia Wright <Wright.Felicia@epa.gov>; Berrios, Lisa <Berrios.Lisa@epa.gov>; Kasman, Mark <Kasman.Mark@epa.gov>; Almodovar, Lisa <Almodovar.Lisa@epa.gov>; Smith, Walker <Smith.Walker@epa.gov>; Bailey, Marianne <Bailey.Marianne@epa.gov>; Cunningham, Dennis <Cunningham.Dennis@epa.gov>
Cc: Cherry, Katrina <Cherry.Katrina@epa.gov>
Subject: FYI -- Weekly Report Summary

Hi Folks – here's the summary of AA/RA weekly reports, for your information.

Best,

-- Martin
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Region 6

I traveled with staff for most of the week and had productive meetings in Washington, DC with HQ staff, members of the U.S. Senate and House of Representatives and their staffs, and with the Santa Clara Pueblo leaders. We look forward to having HQ executive management and staff in R6 next week for site visits.

Region 8

Wyoming Mining Association. The RA attended Wyoming Mining Association's annual meeting in Cheyenne this past week. He held roundtable discussions with its Regulatory Committee, the Uranium Committee, and the Board of Directors. The key issues they addressed were:

1. A rule that was proposed January, 2017 that addressed requirements surrounding in-situ uranium recovery. Among other things the proposed rule would address groundwater protection and monitoring requirements. The rule is opposed by the NRC and Senator Barrasso has sent a letter requesting that the agency withdraw the rule. The Mining Association reasserted their support of the Senator's request and asked that we also reexamine the MOU we have with the NRC that provides that the EPA's role in uranium mining regulation is that of establishing standards and not prescribing specific controls. The RA told them that the review of the proposal was underway and that we would examine discussing with the NRC the existing MOU to make it more clear and binding.
2. Air emission standards for mill tailings. A rule was finalized in January, 2017 that established air emissions standards for uranium byproduct material. The uranium industry opposes these rules because it is very difficult to demonstrate compliance and they have concerns with the process for justifying the rule. They asked that we consider initiating a rulemaking to repeal this rule. They had considered going through the Congressional Review Act but were not successful.
3. They are very concerned about NEPA and its implementation. The RA discussed the Region 8 review of NEPA that is currently underway.

R8 Refers an Enforcement Case to DOJ for a Significant Oil Spill by the Belle Fourche Pipeline Company in Billings County, North Dakota. R8 is referring the Belle Fourche Pipeline Company crude oil pipeline discharge to the DOJ for violations of section 311(b)(3) of the Clean Water Act. The discharge impacted miles of Ash Coulee Creek, and caused more than ½-mile-long sheen on the Little Missouri River. Belle Fourche estimates 12,600 barrels (529,200 gals.) of crude oil were discharged.

Region 9

Mexican Border: following our establishment of a much-needed email notification system, the IBWC alerted us of two very large sewage spills to the Tijuana River late last week, caused by electrical failures at the pump station at the Tijuana River diversion structure in Mexico. Mexico is installing some new electrical equipment this week to help the situation. The February 9 spill was estimated at 560,000 gallons, and the Feb 10 – 11 spill at 665,000 gallons, leading to beach closures in Imperial Beach, CA.

American Samoa cyclone update: recovery continues, with 70% of customers receiving power, 97% of customers receiving water (many with low pressure, all on boil-water orders), and various water and wastewater systems operating with standby generators. A landfill is taking green waste, a scrap metal yard is taking metal wastes, and municipal solid waste collection is underway. FEMA is on-island conducting damage assessments.

Anaconda: per EPA's Tribal Consultation Policy, we'll be providing the Walker River and Yerington Paiute tribal chairmen with our explanation of how tribal input was considered in reaching our EPA decision to defer NPL listing of this mine site, and to document our extensive consultation to date.

Region 10

\$1 Million Amazon Pesticide Agreement and News Conference: This week, in coordination with OECA and OPA, Region 10 concluded and announced a settlement with Amazon Services LLC (Amazon), for multiple violations of the Federal Insecticide, Fungicide, and Rodenticide Act. The violations involve thousands of distributions of six foreign pesticides that were never registered with EPA as required by law. Amazon distributed these pesticides from fulfillment centers throughout the United States. Two of the products, "Miraculous Insecticide Chalk" and "R.B.T.Z. Highly effective Cockroach killing Bait Powder" were also misbranded—the labeling for these products falsely claimed the products were "Harmless to Human Being and Animal" or "CHILD & PET SAFE: Safe to use around children and pets." Amazon agreed to pay a penalty of \$1.2 million and conduct a training program for entities seeking to sell pesticides on their site. This training program and supplemental environmental project will cost approximately \$1,648,094. The region hosted a successful news conference on February 15 with eight major Seattle news outlets and national news services.

Office of Administration and Resources Management

Active Shooter Response Drill On February 21, OARM Facilities Management and EPA Federal Agents will conduct an Active Shooter Response Drill from 3:00-3:30PM on the 5th floor of William Jefferson Clinton North. Public announcements will be made at the start and conclusion of the drill, which will begin with simulated gunfire from an EPA Federal Agent. Personnel not interested in participating in the drill should vacate the 5th floor by 2:00PM, or make alternative work arrangements with their supervisor.

Office of Air and Radiation

- **Repeal of the Clean Power Plan (CPP):** The first of the three listening sessions is February 21 in Kansas City, Missouri. (The other two are February 28 in San Francisco and March 27 in Gillette, Wyoming. The comment period closes April 26).

Office of Chemical Safety and Pollution Prevention

Fees Rule. On February 8th, EPA announced that it is proposing a rule to require certain fees to defray 25% of the costs of administering certain sections of the Toxic Substances Control Act (TSCA). The rule, if finalized, will secure sustainable funding to defray costs of implementation of new responsibilities under the amended law and to review

chemicals for safety with the highest scientific standards. Under the proposed rule, affected businesses would begin incurring fees on October 1, 2018. The fees rule is the final of four framework rules under amended TSCA.

World Trade Organization's International Government-Industry on Maximum Residue Levels – On February 26-27, Office of Pesticide Program Director, Rick Keigwin will participate in the World Trade Organization's International Government-Industry discussion on the trade implications of the lack of pesticide maximum residue limits (MRLs) in Geneva, Switzerland

Global Chemical Regulations Conference (GlobalChem) - Office of Pollution Prevention and Toxics Director, Jeff Morris, and members of his staff will present at the GlobalChem Conference and Exhibition, occurring February 28 - March 2. Jeff will present on OPPT's 2018 priorities and lessons learned from the first year and a half of amended TSCA implementation. Other OPPT staff will be speaking to other TSCA implementation issues, including new chemicals and the "framework rules." The meeting will be held in Washington DC

Office of the Chief Financial Officer

- With this past week's release of the FY 2019 Budget to Congress, OCFO provided hard copies of the agency's Congressional Justification to Congressional staff and OMB. OCFO also provided copies of the Budget Information for the States to Congress (this documents provides a state by state breakdown of funding for grants). These documents are also available on the internet. OCFO is also assisting the press office in answering media inquiries about the FY 2019 President's Budget.
- As part of the roll out activities OCFO briefs Congressional staff on the FY 2019 budget. This year, OCFO is working with OCIR and the NPMs to pilot a Budget Symposium for the Congressional authorizing committee staffers on February 20.
- NPMs are scheduled to provide by February 21 revised draft FY 2018-2019 Agency Priority Goal (APG) Action Plans that address OMB comments and include Q1 results which reflects NPM policy team review and concurrence.
- I am scheduled to speak with the Environmental Finance Advisory Board on February 20, with my comments focusing primarily on the EPA Strategic Plan and Budget. The event is open to the public and press. OW is the coordinating office for this Federal Advisory Committee.
- As previously mentioned, the inaugural E-Enterprise Bulletin will be released on February 16 to EPA, states and tribes. The EPA Strategic Plan, which includes an objective focused on shared governance/cooperative federalism, will be highlighted. The first Bulletin also includes a statement by EELC co-chair, Henry Darwin, and the state and tribal co-chairs, regarding the value of E-Enterprise.

Office of Enforcement and Compliance Assurance

FIFRA Settlement with Syngenta Seeds for Farmworker Safety Violations: On February 7, 2018, Region 9 reached a settlement with Syngenta Seeds that resolves misuse of a restricted use pesticide at a farm in Kauai, Hawaii. Under the settlement, Syngenta will pay a civil penalty of \$150,000 and spend at least \$400,000 implementing a supplemental environmental project to train growers in Hawaii, Guam, and the Northern Mariana Islands on the Worker Protection Standard requirements.

Office of Environmental Information

2018 Tribal Exchange Network Conference

- **Brief description:** The Institute for Tribal Environmental Professionals will host the 2018 Tribal Exchange Network Conference, February 27-28, in Tucson, AZ. The Exchange Network is a partnership among co-regulators from states, tribes, territories and the EPA that drives innovation and efficiency in environmental management through information technology and information management (IT/IM).
 - The conference provides tribes and those working with tribes an opportunity to meet, share and learn about initiatives and technical topics related to the Exchange Network.
 - The agenda is heavily focused on peer-to-peer learning opportunities and interactive discussions to improve communication, cooperation and partnership.
 - Steve Fine, Deputy Chief Information Officer, will give opening remarks.

- **Why this is important:** The Exchange Network supports exchange of essential information among all states, more than 100 tribes, some territories, and EPA.
- **Additional information:**
 - The meeting is sponsored and organized by the Institute for Tribal Environmental Professionals (ITEP) through a cooperative agreement with EPA.
 - ITEP anticipates around 100 attendees.

Office of Policy

Next week, Joel Scheraga, EPA Senior Advisor for Climate Adaptation, will travel to San Ramon, CA to meet with Chevron Corporation. Joel will discuss ways in which EPA can help states, communities and businesses cope with the costly impacts of extreme weather events. He was invited by Chevron's Climate Working Team following the release of a Chevron report in March 2017 entitled "Managing Climate Change Risks". Chevron is interested in benefitting from EPA's expertise in helping partners build and strengthen resilience and in learning more about the agency's Climate Adaptation Resource Center (ARC-X) <https://www.epa.gov/arc-x>.

Office of Research and Development

SBIR Phase II Awards ORD is coordinating an announcement on the recent 2017 SBIR Phase II contracts awarded to six small businesses. These contracts help companies to focus on technology commercialization in the areas of wastewater treatment, homeland security, and cookstoves. Recipients are receiving up to \$300,000 to fund 2-year projects as they work to bring their environmental technologies to the marketplace.

Office of Water

Waters of the U.S.: Next week, the agencies will host two webinars, one for states and one for tribes. These webinars will provide an important opportunity to set the stage for the upcoming in-person meetings scheduled for early March.